

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

*TRANSLATION*  
**PCT**

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>665201</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/JP2005/014678</b>	International filing date (day/month/year) <b>10.08.2005</b>	Priority date (day/month/year) <b>10.08.2004</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>SANBO SHINDO KOGYO KABUSHIKI KAISHA</b>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2005/014678

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
**PCT/JP2005/014678**

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																									
<p><b>1. Statement</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Novelty (N)</td> <td style="width: 40%; text-align: center;">Claims</td> <td style="width: 30%;"><u>2, 3, 6-13</u></td> <td style="width: 10%; text-align: right;">YES</td> </tr> <tr> <td></td> <td style="text-align: center;">Claims</td> <td><u>1, 4, 5</u></td> <td style="text-align: right;">NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td style="text-align: center;">Claims</td> <td><u>6-13</u></td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td style="text-align: center;">Claims</td> <td><u>1-5</u></td> <td style="text-align: right;">NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td style="text-align: center;">Claims</td> <td><u>1-13</u></td> <td style="text-align: right;">YES</td> </tr> <tr> <td></td> <td style="text-align: center;">Claims</td> <td></td> <td style="text-align: right;">NO</td> </tr> </table> <p><b>2. Citations and explanations:</b></p> <p>Document 1: JP 56-90944 A (Furukawa Kinzoku Kogyo Kabushiki Kaisha), 23 July 1981</p> <p>Document 2: JP 4-99837 A (Japan Energy Corp.), 31 March 1992</p> <p>Since the inventions of claims 1, 4, and 5 are described in document 1 (page 2, upper right column, lines 5-13, Table 1) cited in the ISR, they do not appear to possess novelty or to involve an inventive step.</p> <p>The inventions of claims 2 and 3 do not appear to involve an inventive step based on document 1 and document 2 (claims, page 2, lower left column, lines 2-8) cited in the ISR.</p> <p>Adding alloy content described in document 2 when producing copper alloy described in document 1 would be easy for a person skilled in the art.</p> <p>The inventions of claims 6-13 are neither described in any of the documents cited in the ISR nor are they obvious to a person skilled in the art.</p>			Novelty (N)	Claims	<u>2, 3, 6-13</u>	YES		Claims	<u>1, 4, 5</u>	NO	Inventive step (IS)	Claims	<u>6-13</u>	YES		Claims	<u>1-5</u>	NO	Industrial applicability (IA)	Claims	<u>1-13</u>	YES		Claims		NO
Novelty (N)	Claims	<u>2, 3, 6-13</u>	YES																							
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WRITTEN OPINION OF THE  
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International application No.  
PCT/JP2005/014678

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a. type of material	
<input type="checkbox"/> a sequence listing	
<input type="checkbox"/> table(s) related to the sequence listing	
b. format of material	
<input type="checkbox"/> in written format	
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<input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.	
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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
**PCT/JP2005/014678**

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
<b>1. Statement</b>		
Novelty (N)	Claims	<u>2, 3, 6-13</u> YES
	Claims	<u>1, 4, 5</u> NO
Inventive step (IS)	Claims	<u>6-13</u> YES
	Claims	<u>1-5</u> NO
Industrial applicability (IA)	Claims	<u>1-13</u> YES
	Claims	_____ NO
<b>2. Citations and explanations:</b>		
<p>Document 1: JP 56-90944 A (Furukawa Kinzoku Kogyo Kabushiki Kaisha), 23 July 1981</p> <p>Document 2: JP 4-99837 A (Japan Energy Corp.), 31 March 1992</p>		
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# 特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人

河宮 治

様

REC'D 15 SEP 2005

WIPO

PCT

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〒540-0001

日本国大阪府大阪市中央区城見1丁目3番7号IM  
Pビル 青山特許事務所

PCT

国際調査機関の見解書

（法施行規則第40条の2）

[PCT規則43の2.1]

発送日

（日.月.年）

13.9.2005

出願人又は代理人

の審査記号 665201

今後の手続きについては、下記2を参照すること。

国際出願番号

PCT/JP2005/014678

国際出願日

（日.月.年） 10.08.2005

優先日

（日.月.年） 10.08.2004

国際特許分類 (IPC) Int.Cl.<sup>7</sup> C22C9/00, 9/04, 18/00, 18/02, 1/02, B22D1/00, 21/00, 27/20

出願人（氏名又は名称）

三宝伸銅工業株式会社

1. この見解書は次の内容を含む。

- 第I欄 見解の基礎
- 第II欄 優先権
- 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成
- 第IV欄 発明の単一性の欠如
- 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- 第VI欄 ある種の引用文献
- 第VII欄 国際出願の不備
- 第VIII欄 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日

29.08.2005

名称及びあて先

日本国特許庁 (ISA/JP)

郵便番号100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官（権限のある職員）

4K 9833

河野 一夫

電話番号 03-3581-1101 内線 3435

## 第I欄 見解の基礎

1. この見解書は、下記に示す場合を除くほか、国際出願の言語を基礎として作成された。

この見解書は、\_\_\_\_\_語による翻訳文を基礎として作成した。  
それは国際調査のために提出されたPCT規則12.3及び23.1(b)にいう翻訳文の言語である。

2. この国際出願で開示されかつ請求の範囲に係る発明に不可欠なヌクレオチド又はアミノ酸配列に関して、  
以下に基づき見解書を作成した。

a. タイプ  配列表

配列表に関するテーブル

b. フォーマット  告白

コンピュータ読み取り可能な形式

c. 提出時期  出願時の国際出願に含まれる

この国際出願と共にコンピュータ読み取り可能な形式により提出された

出願後に、調査のために、この国際調査機関に提出された

3.  さらに、配列表又は配列表に関するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列が出願時に提出した配列と同一である旨、又は、出願時の開示を超える事項を含まない旨の陳述書の提出があった。

4. 据足意見：

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N) 請求の範囲 2, 3, 6-13 有  
                  請求の範囲 1, 4, 5 無

進歩性 (I S) 請求の範囲 6-13 有  
                  請求の範囲 1-5 無

産業上の利用可能性 (I A) 請求の範囲 1-13 有  
                  請求の範囲 \_\_\_\_\_ 無

2. 文献及び説明

文献1 : JP 56-90944 A (古河金属工業株式会社) 1981.07.23

文献2 : JP 4-99837 A (日本鉱業株式会社) 1992.03.31

請求の範囲1, 4, 5に係る発明は、国際調査報告で引用された文献1の第2頁右上欄第5—13行、第1表に記載されているので、新規性、進歩性を有しない。

請求の範囲2, 3に係る発明は、文献1と国際調査報告で引用された文献2(特許請求の範囲、第2頁左下欄、第2—8行)とにより進歩性を有しない。

文献1に記載された銅合金を製造する際に、文献2に記載の合金成分を添加することは、当業者にとって容易である。

請求の範囲6-13に係る発明は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。